

Laboratory Certification Standards Review Council Meeting Minutes From 5/18/2006

Attendance

Council Members: George Bowman (Vice Chair), Katie Edgington, Randy Herwig, Steve Jossart, Paul Junio (Chair), Kurt Knuth, Marcia Kuehl (Secretary)

DNR Staff: David Webb, Greg Pils, Rick Mealy

Others in Attendance: R.T. Krueger (Northern Lake Service), Paul Harris (Davy Laboratories)

Summary and Action Items

At this meeting the Certification Standards Review Council:

- approved the minutes as amended from their February 17, 2006 meeting,
- elected a slate of officers for 2006,
- were updated on progress on the proposed NR 149 changes
- reviewed Program progress with respect to audit goals
- held preliminary discussion of training priorities for the upcoming fiscal year (2007),
- tentatively scheduled the Council's next meeting for Wednesday, August 16, 2006

Agenda Items

I. Check in/Agenda Repair

A. No additions or changes were made to the agenda.

II. Approval of Previous Meeting's Minutes

A. The Council voted unanimously to approve the minutes as amended by minor. (Herwig/Bowman).

III. Election of 2006 Council Officers

A motion to approve the following slate of officer was unanimously approved (Bowman/Junio):

- Randy Herwig - Chair
- Kurt Knuth – Vice Chair,
- Katie Edgington - Secretary

IV. FY 2006 Audit Totals and Current Program Audit Status

- A. Greg Pils presented audit information to date, noting that only the top 3 labs on the Central Office priority list were over-due for an audit (Columbia Analytical-Redding, Env. Consulting & Testing, and Brenntag)
- B. George Bowman noted that a couple of labs have had cases open for nearly 3 years and suggested that the Program may want to go ahead and close out the cases. Pils indicated that two of the labs in question were holdovers from the position changes related to Department downsizing several years back. Both labs are slated for audits in the very near future and the previous cases will be closed effective with the next audit. He noted also that neither of these cases were associated with any contentious audit issues.
- C. Randy Herwig asked if the audit priority lists provided to Council members were available on the web. He felt that this information might be of value to those facilities that are trying to plan for their next on-site evaluation. Pils indicated that they are not; the lists are the result of several complex database queries.
- D. George Bowman noted significant improvement in report turnaround time, with most reports being turned around in 30 days or less.
- E. Dave Webb estimated that 50% or more of the labs want their audit either on time or earlier than scheduled. Based on audit surveys, the rationale is that the labs feel they learn a great deal during the evaluations so the auditors are welcome.
- F. Paul Harris inquired whether "regional" audits consist of only registered (v. certified) labs. Pils responded that the majority of regional labs are registered, but the line has become much grayer over time. He noted

that two (2) of the regional auditors have now completed the EPA required certification training for drinking water. Basically, the same skill set is being deployed whether it be a Central Office or regional auditor. The labs are going to be subject to the same evaluation criteria. This ensures a similar level of awareness and consistency.

- G. Paul Junio expressed concern about registered labs that are inappropriately performing work for other facilities, as identified during the recent WELA-sponsored meeting regarding NR 149. Pils explained that this is a fairly limited problem and to some degree resulted from mis-communication provided to the LabCert program and then in turn passed on to the labs. Rick Mealy explained recent updates to the Department's "SWAMP" database for wastewater facilities that will identify any lab submitting test results for which it is not appropriately certified or registered.

Cumulative Totals

Central Office			Regional		
Total*		Annual Goals	Total*		Annual Goals
Audits	30	36	Audits	73	101
Reports	32	36	Reports	72	101
Closures	32	36	Closures	68	101

Quarterly Totals

1 st Quarter		2 nd Quarter*		3 rd Quarter		4 th Quarter	
CENTRAL OFFICE							
Audits	7	Audits	9	Audits	11	Audits	3
Reports	10	Reports	10	Reports	8	Reports	4
Closures	12	Closures	7	Closures	9	Closures	4
REGIONAL							
Audits	22	Audits	20	Audits	23	Audits	8
Reports	15	Reports	23	Reports	22	Reports	12
Closures	7	Closures	18	Closures	22	Closures	11

Total Labs by Responsibility

CO (Central Office)	123	302 Labs
RC (Northeast Region)	39	
WC (West Central Region)	87	
SC (South Central Region)	86	
SE (Southeast Region)	90	
O (Other/Reciprocity Labs)	11Labs certified via reciprocal agreement – not audited by WI LabCert

V. Variance Requests

- A.** Greg Pils announced that a variance was requested and granted to a laboratory requesting exemption from PT requirements. The lab in question is a large hazardous waste lab that need only determine whether or not samples exceed a specific regulatory level. The levels at which analytes are included in PT samples are well below these limits and the routine testing levels performed by the lab.

VI. NR 149 Revision

- A.** Dave Webb began the discussion by summarizing the results of the hearings conducted. Overall the atmosphere was quite calm, with attendance ranging from 10 to 30 per session. The Green Bay session had the largest turnout, assisted by the proximity of the Rural Water conference held nearby during that timeframe.
- B.** Webb indicated that most attendees did not speak—which is not uncommon—and that the verbal input was mostly negative, but constructive in nature. He further explained that the public often comes to these hearings expecting them to be a “give-and-take” process, which they are not. They are designed to be information gathering sessions.
- C.** The comment period is over, and Webb estimated that the Program had received a “medium” amount of written comments, including some e-mails. Only one set of hand-written comments was received, which can be scanned for an electronic record. Webb expects to have a mass inventory of comments in about a month. This process will generate a second set of comments, which require a response. At that point, Webb will have to decide how to process, which could include responding to the compiled set of comments and potentially posting comments and responses on the web. The final step in the process will be to write the next draft of NR 149.
- D.** Paul Harris asked if the comments can be posted on the web. Webb answered that once all the comments received have been consolidated and compiled into a single set of comments with responses (from the Program) the information will be posted.
- E.** R.T. Krueger commented that Municipal Environmental Group (MEG) had generated a set of issues, which basically suggests a tiered approach to NR 149 to handle municipal facilities. Krueger expressed concern that this was a similar issue, raised by the same group, which in part contributed to the LabCert Program’s past unsuccessful attempt to pursue NELAC accreditation. Krueger asked what could be done to bring parties together on this issue.
- F.** Webb indicated that two significant concerns voiced during the hearings were related to change proposed in the enforcement section, and imposing a “15 minute” rule for certain sample collection activities. Concern was also expressed over the initial demonstration of capability (IDC) sections. Webb indicated that he needed to have discussions with Department legal staff regarding some of these concerns. The “15 minute” issue generated a lot of discussion within the group.
- G.** Webb indicated that future steps include a range of options. He would like to have a discussion regarding a workable compromise with the full advisory council. Webb stated that it is not his intent to present final rule to the Natural Resources Board that does not have significant support.

VII. FY2007 Training & Outreach Discussion

- A.** Webb opened the discussion by reminding the council that \$15,000 had again been budgeted for training. His intent is to further develop this part of the program by building on the successes observed with the ICP training and BOD sessions completed to-date.
- B.** Pils suggested that what is needed at this point is a “big picture” template for future training opportunities. There is about to be a big overturn in the council body, and we don’t want to lose the excellent groundwork that has been laid to date.

VIII. Other Program and DNR Business

- A.** Dave Webb shared a summary of audit survey responses, which continue to be very positive with a huge return rate (estimated to be 70 – 90%). Webb indicated that one survey in particular was so positive that the lab created a new box labeled “Best Ever” to describe their most recent audit experience. Webb suggested that it might be time to update the survey to include items such as training. Respondents typically comment on the

professionalism of audit staff and the amount of education provided during the audit. About 20-30% of the time, Webb will send an e-mail to the respondent, which opens a constructive dialog and offers him the opportunity to speak with facility personnel.

- B.** Rick Mealy presented a prototype of an HTML-based addition to the Program website which will allow users to identify commercial labs in their (or any) part of the state. Because it departs from traditional Department web standards, some discussion and modification will have to be made before it goes live.
- C.** Webb presented certificates of recognition for outgoing council members George Bowman, Paul Junio, and Marcia Kuehl. In response to questions, Webb indicated that currently David Kliber (S-F Analytical has been nominated as the Commercial Laboratory represented on the Council. Chris Groh (Wisconsin Rural Water) has been nominated for the "Demonstrated interest in Laboratory Certification" representative to the Council. The State Lab of Hygiene will be presenting its candidate for the State Laboratory representative sometime this summer.

IX. Council Member Issues

- A.** As an informational item, Paul Junio circulated a copy of correspondence received from Restek, a provider of analytical standards, suggesting that the availability of certain VOC analytes will be limited due to their identification as ozone depleting substances.
- B.** George Bowman announced that the State Lab has completed its video training segment related to beach sampling. This training is being made available nationwide. The EOPA is distributing copies to the 35 coastal states.

X. Future Meeting Date

- A.** The next Council meeting was tentatively scheduled for Wednesday, August 16, 2006. The meeting was tentatively scheduled to be held at the State Laboratory of Hygiene.